

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. NO. 3622-01  
BILL NO. HB 1404  
SUBJECT: Crimes and Punishment  
TYPE: Original  
DATE: January 25, 2000

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**FISCAL SUMMARY**

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<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
General Revenue Fund	(Exceeds \$100,000)	(Exceeds \$100,000)	(Exceeds \$100,000)
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>(Exceeds \$100,000)</b>	<b>(Exceeds \$100,000)</b>	<b>(Exceeds \$100,000)</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses

This fiscal note contains 3 pages.

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Office of State Courts Administrator, Office of Attorney General, Office of Prosecution Services**, and the **Office of State Public Defender** assume the proposed legislation would have no fiscal impact on their agencies.

Officials from the **Department of Corrections (DOC)** assume the proposed legislation would take away the authority of the Board of Probation and Parole to convert consecutive sentences to concurrent sentences. DOC cannot currently determine the number of people affected by this proposal in the form of lengthened sentences.

**Oversight** assumes the proposal could result in more offenders being incarcerated or placed on probation. Additional costs for supervision and care by the DOC, although unknown, would likely exceed \$100,000 annually.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
<b>GENERAL REVENUE FUND</b>			
<u>Costs</u> - Department of Corrections Increased beds	<b>(Exceeds \$100,000)</b>	<b>(Exceeds \$100,000)</b>	<b>(Exceeds \$100,000)</b>
<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	0	0	0

### FISCAL IMPACT - Small Business

No direct fiscal impact on small businesses would be expected due to this proposal.

### DESCRIPTION

Current law allows a defendant to receive a reduction in punishment for an offense when the punishment is reduced by the statute enacted after the offense was committed but before the defendant is sentenced. This proposal would eliminate that provision. It would also remove the power of the Board of Probation and Parole to convert consecutive sentences to concurrent sentences when determining a total prison term.

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DESCRIPTION (continued)

This legislation is not federally mandated, would not duplicate any other program, and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of State Courts Administrator  
Office of Attorney General  
Office of Prosecution Services  
Office of State Public Defender  
Department of Corrections

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is stylized with a large initial "J" and a cursive "e" at the end.

Jeanne Jarrett, CPA  
Director  
January 25, 2000